

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:19-cv-319

ANTHONY THOMPSON,

Plaintiff,

v.

BRANDSAFWAY SERVICES, LLC;  
SAFWAY GROUP HOLDINGS, LLC;  
BRANDSAFWAY, LLC; BRANDSAFWAY  
INDUSTRIES, LLC; BRANDSAFWAY  
SOLUTIONS, LLC; THYSSENKRUPP  
SAFWAY, INC.; and SAFWAY TRANSFER  
AND STORAGE, INC.,

Defendants.

**REPORT OF THE PARTIES'  
PLANNING MEETING**

Fed. R. Civ. P. 26(f)

1. The following persons participated in a Rule 26(f) conference on October 30, 2019:

William H. Harkins, Jr., representing the Plaintiff

Brian O. Beverly, representing the Defendants

2. Initial Disclosures.

Mandatory initial disclosures will be due within 14 days of the entry of a Scheduling Order by the Court.

3. Discovery Plan. The parties propose this discovery plan:

- a. Discovery will be needed on all claims and defenses alleged in the Complaint and the Answer.

- b. Disclosure or discovery of electronically stored information will be handled through initial disclosures and the discovery procedures outlined in Rules 33 and 34 of the Rules of Civil Procedure.

- c. The Defendants will draft a proposed consent protective order to govern production of any materials containing commercial trade secrets and proprietary information.
  - d. All discovery (general and expert) shall be completed on or before August 14, 2020.
  - e. Plaintiff shall disclose expert witnesses and their reports on or before April 24, 2020.
  - f. Plaintiff shall make all disclosed experts available for deposition on or before May 29, 2020.
  - g. Defendants shall disclose expert witnesses and their reports on or before June 26, 2020.
  - h. Defendants shall make all disclosed experts available for deposition on or before July 24, 2020.
  - i. Supplementations under Rule 26(e) are due: as appropriate.
4. Mediation. Mediation is to be completed by September 4, 2020. The exact date of the mediation is to be set by the mediator after consultation with the parties. The parties agree that the mediator shall be Jacqueline R. Clare.
5. Preliminary Deposition Schedule. Depositions may be scheduled after initial written discovery is completed. Each party may take up to ten (10) fact witness depositions. A party must obtain leave of court to take additional depositions.
6. Magistrate Jurisdiction: No.
7. Pretrial Conference: The parties do not request a Rule 16(b) pretrial conference prior to entry of the case management order.

8. Companion Cases: There are no other cases relating to the instant matter that raise potential issues of consolidation or assignment.
9. Scheduling Concerns: The parties are not currently aware of any compelling personal or professional scheduling concerns that may affect the course of proceedings.
10. Other Items:
  - a. The parties shall be allowed until February 28, 2020 to request leave to join additional parties or to amend pleadings.
  - b. Either party may request leave of court to join additional parties or amend pleadings based on information acquired during discovery.
  - c. Written discovery shall be governed by the procedures set forth in Rules 33, 34 and 36 of the Rules of Civil Procedure. Each party may serve up to fifty (50) interrogatories; up to twenty-five (25) requests for production of documents; and up to twenty-five (25) requests for admissions.
  - d. All potentially dispositive motions shall be filed by October 9, 2020.
  - e. Final lists of witnesses and exhibits under Rule 26(a)(3) shall be due from the parties by November 6, 2020.
  - f. The parties shall have ten (10) days after service of witness and exhibit lists by the opposing party to file objections to the same pursuant to Rule 26(a)(3).
  - g. Trial of this action is expected to take approximately five (5) days.
  - h. The case should be ready for trial on or after November 16, 2020.

This the 13<sup>th</sup> day of November, 2020.

BRENT ADAMS & ASSOCIATES

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